

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

ERIC WILLIAMS	*									
T/U/O Mayor & City Counsel										
Of Baltimore City	*									
Plaintiff	*									
v.	*	Civil Action No.: WMN-02-2147								
H.D. INDUSTRIES, INC.	*									
Defendant	*									
*	*	*	*	*	*	*	*	*	*	*

**MOTION TO EXTEND DEADLINE TO FILE DISPOSITIVE MOTIONS**

Defendant, H.D. Industries, Inc. and Plaintiff Eric Williams, by their attorneys Robert H. Bouse Jr. and Jonathan A. Cusson and Mark Herman hereby move to extend the deadline to file dispositive motions and state as follows:

1. The controversy in this case emanates from an on-the-job accident that occurred in Baltimore City on October 6, 1999. Specifically, the plaintiff was injured when he climbed into the "hopper" of a Pro-Patch hot asphalt patching machine manufactured by H.D. Industries.

2. The parties have been working together to complete the vast amount of discovery that is required in this matter; however, discovery is not fully complete.

3. More importantly, a dispute has recently arisen regarding plaintiff's expert disclosure. Defendant has brought these issues to counsel's attention in writing and by telephone.

4. H.D. Industries believes that it may have grounds to file a motion for summary judgment.

5. Because discovery is not complete, this defendant is not in a position to fully articulate its arguments.

6. Permitting additional time to file a dispositive motion may resolve this matter short of trial, will place the parties in a better position to settle the case and is otherwise in the interests of judicial economy.

7. Plaintiff joins in and consents to this extension.

WHEREFORE, Defendant H.D. Industries respectfully requests that the Court extend the dispositive motions deadline until discovery is complete or for an additional sixty (60) days.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12<sup>th</sup> day of December, 2003, a copy of Defendant, H.D. Industries, Inc.'s Motion to Extend Deadline to File Dispositive Motions was mailed, postage prepaid, to:

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Jonathan A. Cusson